

REMARKS

Reconsideration of the above-identified patent application in view of the present amendment and the following remarks is respectfully requested.

The Office Action of October 5, 2004 rejected claims 1-3, 11, and 13-15 as anticipated under 35 U.S.C. §102(e) by Farmer, U.S. Patent No. 6,662,093. It is respectfully acknowledged that claims 12 and 21 were indicated as being allowed and claims 4-10 and 16-20 were indicated as being allowable if rewritten in independent form.

This amendment amends claims 1, 2, 6, 13, 14, and 17 and adds new claims 22 and 23.

It is respectfully suggested that claim 1, as amended, patentably defines over Farmer. Claim 1 has been amended to recite that at least one pattern is located on vehicle structures located within the viewable field. Claim 1 has also been amended to recite means for detecting the pattern in the obtained image. Since the pattern is located on vehicle structures, the shape of the vehicle structures may not be the pattern. Therefore, the interpretation set forth in the Office Action that "any background object can broadly be considered a pattern" is no longer applicable to the pattern of claim 1.

Moreover, Farmer fails to teach or suggest means for identifying the pattern in the obtained image. For example, assuming (as the Office Action did) that the pattern is that of the seat fabric located on a seat of the vehicle, Farmer fails to teach or suggest detecting the pattern of the seat fabric in an obtained image. Thus, for

this further reason, it is respectfully suggested that claim 1 is in a condition for allowance.

Claims 2-11, 22, and 23 depend from claim 1 and are allowable for at least the same reasons as claim 1. Additionally, claims 2-11, 22, and 23 are allowable for the specific limitations of each claim.

Specifically, claim 22 recites that the pattern fluoresces when illuminated by light having a wavelength within a predetermined range. Farmer fails to teach or suggest this feature of claim 22. Therefore, allowance of claim 22 is respectfully requested.

Claim 23 recites that the wavelength within the predetermined range is a near infrared-red wavelength. Farmer also fails to teach or suggest this feature of claim 23. Therefore, allowance of claim 23 is respectfully requested.

Claim 13, as amended, is similar to claim 1 and is allowable for reasons similar to claim 1. Claims 14-20 depend from claim 13 and are allowable for at least the same reasons as claim 13. Therefore, allowance of claims 13-20 is respectfully requested.

In view of the foregoing, it is respectfully submitted that the above-identified patent application is in condition for allowance, and allowance of the above-identified patent application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Daniel J. Whitman', written over a horizontal line.

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